App. F. IX-4

Previous References 1934.0 (Saving)

File No. 14 & 40.

Serial Nos. 3 - 4.

Later References.

PRESERVE

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for January 1941.

SUBJECT.

Compromise Decree in O.S. 17/34-35 on the file of the Additional District Judge Bangalore Government-vs Sm. T. Narayana Iyengar and others

No 1965-Dy 23-1-1941.

The Army & Air Commissioner

WD 0578—GPB—22,500—12-9-39

Sd/- Illegible

Illegible

Illegible

30-1-41.

H. S. APP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mung)

NOTES. File No. 1662 —

FILE HEADING.

Comptroller's Report on Endowment Funds for the year 1939-40 and Budget Estimates for 1941-42

FROM

No. [illegible] Dated [illegible] Received [illegible]

Diary No. [illegible] Encls. [illegible], Spare copies Serial No. 3

BRIEF ABSTRACT OF LETTER

[illegible]

NOTES AND ORDERS.

The file may, if approved, be sent to the Law Secretary for purpose of legal advice on the point referred to in para 3 of the Hyderabad Commissioner's letter. The question of restoring the management of the Tanded Endowments is separately dealt with in G.O. No. 778 Rev. dt. May 1882 (40-1). In an interview with the HC on 6/11/40 the Financial Adviser is said to have agreed that the endowment and permanent funds

NOTES—First Sheet

WD 077 —GPB—5,000—11-9-40

Mins File No. 1468 of 1940. Secretariat

if the Fund held in investments under Govt Security may continue, annual interest thereon being made payable to the Commissioners may be consulted

Govt to pay Landowners mortgage interest

Law

for favourable opinion.

Law Dept with compliments

11/12

Hon 12/12

14/12

SECRETARY. 11 DEC. 1940 5556

LEGAL & REV. SECRETARY. 12. DEC. 1940

400 12/12

Law. 67 of 1940

14th December 1940

In accordance with the terms of the Compromise Deed, the Muzrai Commissioner appointed a Committee of three persons on 15.8.40, for a period of three years. The Chairman of the Committee has the discretion for the continuance of the Committee if it is of opinion that unless the same is continued it or appointment of his successor, the institutions will suffer to as much as some of the objects of the Trust would fail to take advantage of the Deed. The Muzrai Commissioner is in favour of handing over the management of the Special Endowments Fund to the Committee also allowing the

Serial No.

to appoint his own Committee, but he is doubtful whether such a course of conduct by him would be possible under the face of the Compromise decree.

6. Letter 'H' shows that the question of the Committee working under the direction of the Swamis was considered by the then Inspecting Commissioner and it was accepted in favour of the present arrangement. The terms of Compromise reflected in letter 'H' were adopted in the Compromise decree.

7. The Inspecting Commissioner is bound by the terms of the decree. If he wants the Swamis to be removed the Committee, it will not be in accordance with the terms of the decree, for the decree explicitly gives this power to the Inspecting Commissioner.

But there is nothing in the decree which forbids the Inspecting Commissioner from delegating his power to appoint a Committee, to the Swamis. If he thinks fit, he may do so (perhaps after obtaining the consent of the trustees) even a separate agreement — but in doing so, he must take care not to violate the spirit of the terms of the Compromise. Such delegating the power he has derived under the decree, the Swamis, he cannot embody a clause to the effect that he can, by the breach of its stipulations, at any time, cancel the power and resume it in his favour.

Law Secretary 3/1/41

4627/7H

7 The ~~Asst~~ Inspg Commr may delegate his power of appointment

NOTE—Contn. Sheet

Serial No.

of the Committee and The management of the Special Endowment Sevas to the Swamiyar subject to the condition that the same may be resumed ~~back~~ by him if the Government so desire at any time.

Gen Secy
11/1/41.

Hm
11/1/41.

3
11/1/41

GENERAL SECRETARIAT
11 JAN. 1941
275

2nd member)

Let Existing arrangement ~~of the~~ Continue - The delegation of power suggested would lead to trouble. The parties are difficult people to deal with. The M.C Must Constitute the Committee, after Consulting the Swamiyar & the leading Subjects

20.1.41

SECOND [illegible] OFFICE
No. 6626

TYPING SECTION
21 JAN. 1941
R. & A. NEW DELHI

A draft reply to the M.C is putup.

21/1

804

General and Revenue Secretariat | File No. | of 194 . | [App. F. III-2

Serial No.	
4	1465 dated 22.1.1941 from Bengal Govt. to the Resident Secretary, Kashmir.

NOTE—Contn Sheet

File No. of 194 .

General and Revenue Secretariat

Serial No.

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

N.H.C. 120/34-35

ENCL. 1 file

Bangalore, ..November..19.....194 0

146-40-3

FROM

RUKN-UL-MULK
S. ABDUL WAJID, B.A.,
Muzrai Commissioner in Mysore.

GENL & RE... 22. NOV 1940 804 M...

To

GENERAL SECRETARY 22 NOV 1940

.....J. Appaji Gowda, Esq., I.A.S.(Ret.),
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*

SIR,

Regarding the decree in O.S.17/34-35 on the file of the Additional District Judge, Bangalore. (Government Vs. M. T. Narayana Iyengar and others.

With reference to your letter No.P.5354/Law 112-34-13 dated 26-3-1938, conveying the approval of Government to the terms of the compromise proposed in connection with the above suit, I have the honor to state that a compromise decree was passed accordingly by the District Judge, Bangalore. As per terms of the decree, a Committee consisting of the marginally noted gentlemen belonging to Mandyam Sri Vaishnava Community, was appointed by me, in this Office Notification No. H.C.120/34-35 dated 15th August 1940, for a period of three years, to receive and expend the interest amount on Special Endowments to the Sri Yathiraja Mutt at Melkote, in accordance with the terms of the Trust and the sanctioned scale, furnishing a brief report on the working of the Charities, with statements of income and expenditure, annually, to this Office. A scale of expenditure for the Special Endowment sevas within the interest amount available annually on the corpus of each endowment was also sanctioned by me, in this Office Order No.H.C.120/34-35 dated 2-11-1940 (copy enclosed).

1) Mr. G. R. Josyer, M.A., F.R.E.S., Kathwadipur, Agrahar, Mysore.
2) " N. Venkatachar, Retd. Assistant Auditor, Mysore State Railway, Tumkur.
3) " I. K. Alasingrachar, Vice President, Municipal Council, Melkote.

2. The Sri Swamigalu of the Yathiraja Mutt interviewed me, in my Office, on 6-11-1940, in the afternoon. He represented that the appointment of a separate Committee would tell upon the honour and the dignity of the Mutt; that the Mathadhipathi should have freedom to manage the affairs of the institution to its best advantage; and that, unless the entire management of the Mutt including the Special Endowment Fund was given over to him, the institution would not improve; and that none of the disciples of the Mutt would like to take Sanyasa, in future, if the Committee should be continued. He, further, stated that he might be allowed to appoint is own Committee to supervise the Special Endowment sevas under his control; that the corpus of the endowment funds might continue under Government securities, the annual interest thereon being made payable to him, subject to his furnishing accounts of expenditure to the Muzrai Commissioner.

3.The contentions of the Sri Swamigalu, I think, has considerable force in it, and deserves attention. As the Special Endowment funds including the permanent funds of the Mutt are mainly held under Charitable Deposits, there is no chance of their being misappropriated or misapplied, as only the interest thereon is paid, subject to rendering accounts. I am in favour of handing over the management of the Special Endowment sevas to the Sri Swamiji and allowing him to appoint his own Committee to help him. But, whether this is possible in the face of the compromise decree, is a matter for consideration. I, therefore, request you to kindly obtain and furnish the views of the Government, in the Law Department, in the matter.

4. The copy of the compromise decree is enclosed for reference and return.

I have the honor to be,

Sir,

Your most obedient servan

Muzrai Commissioner.

Notification No.H.C.120/34-35 dated 15-8-40 from the Muzrai Commi. in Mysore, to the Compiler, Mysore Gazette, for publication in the Gaze

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In pursuance of the decree passed in O.S.17/34-35 (Government by Muzrai Commissioner in Mysore, Vs. Mr. B. T. Narayana Iyengar and other the file of the Additional District Judge, Bangalore, the following gentlem are appointed as members of the Committee, for a period of 3 years, to rece and expend the interest amounts on Special Endowments to the Sri Yathiraja Mutt, Melkote, Mandya District, in accordance with the terms of the Trust a the sanctioned scale, furnishing a brief report on the working of the Chari ties, with statements of income and expenditure, annually, to this Office.

1) Mr. G. R. Josyer, M.A., F.R.A.S., Kathiwadipur Agrahar, Mysore. (Chairman.)

2) " N. Venkatachar, Retd. Assistant Auditor, Mysore State Railway, Tumkur.

3) " K. K. Alasingrachar, Vice President, Municipal Council, Melkote

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"Copy"

M. N. Ramachar.

For Muzrai Commissioner in Mysore.

Order of the Muzrai Commissioner in Mysore.

Reference:-

This Office Notification No.H.C.120/34-35 dated 15th August 1940, appoining a Committee, for a period of 3 years, to receive and expend the interest amounts on Special Endowments to the Sri Yathiraja Mutt, Melkote, Mandya District, in accordance with the terms of the Trust and the sanctioned scale.

2. letter dated 23-10-40 from Mr. G. R. Josyer, Chairman of the above Committee, submitting for sanction a draft scale of expenditure for each of t Special Endowment Sevas of the Sri Yathiraja Mutt at Melkote, within the interest amount available annually on the respective endowment funds.

Order No.H.C.120/34-35 Bangalore, dated 2nd November 1940.

The appended scale of expenditure proposed by the Chairman of the Committee, is sanctioned.

- Sd.- S. ABDUL WAJID,
Muzrai Commissioner.

"Copy"

M. N. Ramachar

For Muzrai Commissioner in Mysore.

Endowment Sevas of Sri Yathiraja Mutt, Melkote.

of Seva.	Interest Amount. Rs.	Commodities. Rs. a. p.	Wages &c. Rs. a. p.	Contingencies Rs. a. p.
Tadgyaradhana	177	142 0 0	25 0 0	10 0 0
1 Alankara	149	120 0 0	21 8 0	7 8 0
Seva Daily	45	42 8 0	-	2 8 0
runakshatrams of Acharyas	68	54 0 0	10 0 0	4 0 0
amma's Endowment	9	9 0 0	-	-
M. A. S. Endowment	2	2 0 0	-	-
M. A. Srirangamma's Endowment	23	13 8 0	7 8 0	2 0 0
	10	10 0 0	-	-
	7	7 0 0	-	-

- Sd.- G. R. Josyer,
Chairman of Trustees.

sore, 23-10-40.

"Copy"

M. N. Ananthu

For Muzrai Commissioner ; ;

klu

OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. 1965 Ecm Pickets Dated, Bangalore, 23rd January 194

Secy 14C-40-4.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
General Department.

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to your letter No.H.C.120/54-55 dated 19th November 1940 requesting sanction to hand over the management of the Special Endowment Sevas referred to in the compromise decree in O.S.No.17/54-55 on the file of the Additional District Judge, Bangalore (Government Vs. M.T. Narayana Iyengar and others) to the Swamigalu of the Sri Yathiraja Mutt at Melkote and to allow the Swamigalu to appoint his own committee to help him in the conduct of the Sevas, I am directed to observe that the existing arrangement may continue and that the Committee may be constituted by you after consulting the Swamigalu and the leading disciples of the Sri Mutt.

The enclosures received with the letter are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

Aga/2.

Appendix F G—1]

SUBJECT.....

.....

.....

Section

File No. 12/-01

Serial No. 1

No. 1965/ Our Papers

To

The Hungarian Con—

Sir

With reference to your letter

No H.C. 120/34-35 dated 19.11.40

forwarding Sanction No 2 and

requesting to stay over the proceedings

by the Special Tribunal at Pesth

referred to in the correspondence

ending with O.S. No 17/34-35 on the file regarding

Archbishop Dr Joseph Rooney

(Appellant Vs. M.T. Thomas Pragyan

and others) to the Honourable the

Supreme Court of Madras

I am directed to inform you that

the Government have no objection

to grant the stay requested by

you in the above proceedings

for as far as the Executive Order

Diary No. of letter replied to.....847.....

General and Revenue Secretariat

( )

the 193 .

Date of issue 23-1-41

Signed by... Sd/- S. K. V.

List of enclosures. .....

Copied by. .....

Examined by. .....

that the existing

[illegible] continue and Committee may consider

[illegible] be considered by us

after receiving the Hansards

and the leading despatches

[illegible]

The enclosure was dealt with

the Estimates Committee yesterday

Thanks

Dec 21/41

For [illegible]

21/1